

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA**

BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICARDO ANDRE ROSS,

Defendant.

CR 13-29-BLG-DWM-CSO

FINDINGS AND
RECOMMENDATION
CONCERNING PLEA

The Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered a plea of guilty to Count I of the Indictment. Count I charges the crime of felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). The Defendant also pled true to the criminal forfeiture allegation in the Indictment and conceded to entry of a preliminary order of forfeiture regarding the property subject to that allegation.

After examining the Defendant under oath, the Court determined that the Defendant: (1) knowingly, intelligently, and voluntarily entered the guilty plea and true plea to the forfeiture allegation; and (2) fully understands his constitutional rights and the extent to which such rights

are waived. The Court also determined that the offense charged and to which the Defendant entered a guilty plea contained each of its essential elements.

The Court further concludes that the Defendant had adequate time to review the Plea Agreement with counsel, that he fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement are true. I recommend that the Defendant be adjudged guilty and that sentence be imposed. A presentence report has been ordered. I further recommend that the Court enter a preliminary order of forfeiture regarding the property subject to the forfeiture allegation, described as: (1) a Kel-Tec, model P11, 9mm semi-automatic pistol with serial number 92378; and (2) a Hi-Point, model JH, .45 caliber, semi-automatic pistol with serial number 311869.

Objections to these Findings and Recommendation are waived unless filed and served within fourteen (14) days. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).

DATED this 15th day of November, 2013.

/S/ Carolyn S. Ostby
United States Magistrate Judge